



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/734,673	12/15/2003	Keisuke Hayakawa	NE204-USDIV	6294
21254 7590 05/14/2008 MCGINN INTELLECTUAL PROPERTY LAW GROUP, PLLC 8321 OLD COURTHOUSE ROAD SUITE 200 VIENNA, VA 22182-3817				
EXAMINER				
KUMAR, ANIL N				
ART UNIT		PAPER NUMBER		
2174				
MAIL DATE		DELIVERY MODE		
05/14/2008		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

**Application No.**

10/734,673

**Applicant(s)**

HAYAKAWA, KEISUKE

**Examiner**

ANIL N. KUMAR

**Art Unit**

2174

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 26 February 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1, 2, 4-13 and 23-51 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 2, 4-13 and 23-51 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/S508)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

1. This action is in response to the amendments filed on February 26th, 2008.

Claims (1-2, 4-13, 23-51) are pending and have been considered below.

### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

- Claims 31 and 32 rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. The examiner cannot determine how "...the case where two or more articles of information is contained in a locus of dragging ..." this step is supposed to work. Note Fig. 44 seems to indicate a single object 82A being dragged on to the location of 82C.

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

- Claim 24 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The examiner cannot determine what "...after the page turning process is not displayed..." means. Note the specification merely repeats the claim content [0197].
- Claim 49 and dependent claims 50-51 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The examiner cannot determine what "...calculating a tag length which determines a length of a current page tag appending to a current page by referring to the tag length as a reference ..." means. Note the specification [0163] nor the Fig. 19 do not describe what exactly is "... referring to the tag length as reference..." mean.

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –  
(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Art Unit: 2174

5. Claims 1-2, 4-6, 12-13, 23, 28, 38, 40-41 and 46-47 are rejected under 35

U.S.C. 102(b) as being anticipated by Henckel et al. (US 5,463,725).

Claims 1, 4, 5: Henckel et al. disclose a method, device and a storage medium for a page information display method for displaying the electronic information using an information access device comprising a storage unit for storing the electronic information having plural pages of information in a unit of page of predetermined size, a display unit for displaying the electronic information stored in said storage unit in said unit of page, and an operation unit for inputting an operation to gain access to said page information, said operation unit being provided in the substantially same area as said display unit, comprising:

- a page turning operation detecting step of outputting a page turning operation detecting signal when a dragging is made on said operation unit in parallel or anti-parallel to a predefined page turning direction at a current page read from said storage unit that is to be displayed at present (i.e. ... a check is made to see if there are any touching events on the input screen... column 5 lines 30-41 and Fig. 6);
- a next display page setting step of setting a preceding page or a succeeding page immediately before or after the current page depending on a direction of said dragging operation to a next display page to be displayed at the next time, when the page turning operation detecting signal is output in said page

- turning operation detecting step (i.e. ... the variables firstpos and prevpos are set to the current position of the touch ... column 5 lines 42-52 and Fig. 6);
- and a page turning process step of displaying the next display page set in said next display page setting step in place of said current page on said display unit (i.e. ... The animation corresponding to any of the actions described above is then displayed 68... column 5 lines 42-52 and Fig. 6 and Fig. 2);
  - wherein said page turning operation detecting step further comprises an operation rate calculating substep of calculating a page turning rate that is a speed of said page turning operation, and said page turning process step further comprises a display rate setting substep of setting a display rate corresponding to the page turning rate calculated in said operation rate calculating step to change the display from the current page to the next display page (i.e. ... This would require the capability to recalculate the appearance of a partially turned page in real time as the user swipes his finger across the screen... column 3 lines 29-36).

Claim 2: Henckel et al. disclose a method, device and a storage medium for a page information display method for displaying the electronic information, as in Claim1, above. Furthermore, Henckel et al. disclose, wherein said page turning operation detecting step further comprises a page turning operation judging substep of judging, as said page turning operation, an operation exceeding a

minimum operation length in said page turning direction within a predefined allowance region in a direction orthogonal to said page turning direction (i.e. ... the user preferably need only make a swipe which is one-half to one inch long in order to cause a page to be turned... column 3 lines 12-27).

Claims 6, 12, 13, 23, 28 and 46-47: Henckel et al. disclose a method, device and a storage medium for a page information, comprising:

- a page holding operation detecting step of putting a page holding operation detecting signal when a predetermined page holding operation is made at a current page read from said storage unit that is to be displayed at present;  
a holding page number displaying step of displaying the total number of holding pages • in accordance with the amount of said page holding operation on said display unit, when the page holding operation is initially detected in said page holding operation detecting step (i.e. ... a determination is made of the necessary action to be performed 76-action 4/5 Flip corners... column 6 lines 27-39 and Fig. 6 and Fig. 4);
- a next display page setting step of setting a page having a page number that is equal to the current page added or subtracted by the amount of said holding operation to a next display page to be displayed at the next time, when the page holding operation detecting signal is output in said page holding operation detecting step (i.e. ... A determination is then made of any

- appropriate actions which need to be performed. These include: 3)  
completing the turning of multiple pages... column 5/6 lines 66-9 and Fig. 6  
Block 66);
- a page turning process step of displaying the next display page set in said next display page setting step in place of said current page on said display unit (i.e. ... The animation corresponding to any of the actions described above is then displayed 68... column 5 lines 42-52 and Fig. 6, and Fig.4);
  - following said page holding operation detecting step, further comprising a before-turning holding object page tag coloring step of coloring a tag for a holding object page that is held by said page holding operation with a different color from other tags in one tag display area that is displaying a tag appended to the current page, when the page holding operation is initially detected in said page holding operation detecting step (i.e. ... performing such a flipping function at the upper corners of the pages preferably allows chapter headings, or some other larger unit indicator, to be displayed and selected. Location of page numbers, chapter headings, and so forth –change color-, may be changed ... column 4 lines 52-64 and Fig.4)
  - comprising: reception means for receiving the page information from a server (i.e. ... The display device 10 may be part of a work station or other computer system, an input/output device connected to a centralized mainframe or other centralized computer system ... column 2 lines 13-24);



- wherein said display controller comprises a tag appending portion for displaying a tag indicating the content of the page information stored in said electronic information memory on said touch panel (i.e. ... The bookmarks may also be used for writing notes – page numbers or color coded- to be placed into the book... column 4 lines 6-18 and Fig. 3);
- a streaming time dynamic tag appending control portion for operating said tag appending portion as the page information is being received by said reception means (the book marks or tags are displayed as part of the book, as the book is opened. See Fig. 3)

Claim 38: Henckel et al. disclose a device for a page information display device having an electronic information memory for memorizing the electronic information having plural pages of information in a unit of page of predetermined size; a touch panel for displaying the electronic information stored in said electronic information memory in said unit of page, as well as inputting an operation to gain access to said page information; and a display controller for controlling the display of the page information stored in said electronic information memory on the basis of an operation content input into said touch panel, said display controller comprising an event driven display control portion for enabling the pages displayed on said touch panel to be changed on the basis of the time and locus from a pointer down to up on said touch panel (i.e. ... Alternatively, the user may touch a point slightly outside the graphic display of

the book at a location such as location 36, followed by sliding the touch point to a location such as location 38 ...column 4 lines 24-51 and Fig. 4), said event driven display control portion comprising a page selection function for each locus direction for selecting a page having a smaller page number or a larger page number than that of a page being displayed at present on the basis of the locus of pointer from said pointer down to up (i.e. ... By moving his contact point to a location near location 38, an animation of a page flip occurs with rapidly decreasing page numbers indicated. By sliding the touch location to a position such as location 40, page numbers will increase ... column lines and Fig. 4).

Claim 40: Henckel et al. disclose a method, device and a storage medium for a page information display device having an electronic information memory for memorizing the electronic information having plural pages of information in a unit of page of predetermined size, a touch panel for displaying the electronic information stored in said electronic information memory in said unit of page, as well as inputting an operation to gain access to said page information, and a display controller for controlling the display of the page information stored in said electronic information memory on the basis of an operation content input into said touch panel:

- said display controller comprising a cache memory (see Fig. 5 and block 46) for memorizing temporarily the page information that is judged to be displayed on said touch panel among the electronic information stored in said electronic

information memory, a continuous page prefetch control portion (see Fig. 6 and block 60) for storing in advance the page information having a page number following the page number of the current page being displayed at present on said touch panel in said cache memory, and a page turning process control portion (see Fig. 6 and block 76) for effecting a page turning process by selecting one or more pages in accordance with an operation on said touch panel,

- wherein said continuous page prefetch control portion (see Fig. 6 block 70) has a pages turning time deleting function of deleting the page data in plural pages from said cache memory, in the case where a page turning operation of plural pages is detected by said page turning process control portion.

Claim 41: Henckel et al. disclose a, device for a page information display method for displaying the electronic information, as in Claim 40, above.

Furthermore, Henckel et al. disclose, wherein said display controller comprises an article information prefetch control portion for storing the article information within said current page in said cache memory in the case where the article information is contained in said current page (i.e. ... other processing can include any display changes, and related changes, which are performed along with the page turning technique ... column 5 lines 42-52 and Fig. 6).

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 7-11, 25-27 and 48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Henckel et al. (US 5,463,725) in view of Amro et al. (US 6,278,443 B1).

Claim 7: Henckel et al. disclose, a method for a page information display method for displaying the electronic information as in Claim 6, above, but does not disclose, wherein said page holding operation detecting step further comprises a pressure holding page number calculating substep of calculating said number of holding pages in accordance with the magnitude of a pressure applied to the substantially same position of said operation unit. However, Amro et al. teaches steps to calculate various parameters from information received from touch sensitive screen (i.e. ... From this sensed information, the distance and direction of vector V may be calculated... columns 4/5 lines 36-13 and fig. 4). Therefore, it would have been obvious to one having ordinary skill in the art at the time to provide a method, as taught by Amro et al., to use the pressure sensitive screen to calculate the pressure, in Henckel et al. One would be motivated to calculate

and display total number of pages, as it will be very helpful for the user to know how many pages will be turned.

Claim 8: Henckel et al. disclose, a method for a page information display method for displaying the electronic information as in Claim 6, above, but does not disclose, wherein said page holding amount operation detecting step comprises a time holding page number calculating substep of calculating said number of holding pages in accordance with the elapsed time of a depressing operation that continues at the substantially same position of said operation unit. However, Amro et al. teaches steps to measure holding time as soon as a touch sensitive screen is activated (i.e. ... If the decision in step 82 is No, then flow returns to step 80 and the system is set up to await the screen touch which will set up the mouse pad... columns 6 lines 40-65 and Fig. 8). Therefore, it would have been obvious to one having ordinary skill in the art at the time to provide a method, as taught by Amro et al., to calculate elapsed time when a pressure sensitive screen is activated, in Henckel et al. One would be motivated to calculate and display total number of pages, as it will be very helpful for the user to know how many pages will be turned.

Claims 9-11: Henckel et al. and Amro et al. disclose, a method for a page information display method for displaying the electronic information as in Claim 7, above, but does not disclose, wherein said holding page number displaying step

comprises a substep of displaying a holding display circle defined with a radius of the size (or by number of circles or a coated circle) corresponding to said page holding amount on said display unit. However, Amro et al. teaches steps to measure holding time as soon as a touch sensitive screen is activated (i.e. ... when the touch screen senses the touching of the screen by finger 18 which is shown centered at point 55, the information is conveyed via adapter 11 and bus 12 to the system memory on which the present program is loaded and the program sends appropriate commands via display adapter 14 to provide on-screen mouse pad 54 around center point 55 where the finger touched... column 4 lines 47-63 and Fig. 3). Therefore, it would have been obvious to one having ordinary skill in the art at the time to provide a method, as taught by Amro et al., to calculate the radius of the circle, or number of circles or a radius for coated circle, of the display pad based on some parameter like number of pages to be held, in Henckel et al. One would be motivated to provide the information about the pages that are held in a visual format as it very helpful to the user.

Claim 25 and 48: Henckel et al. disclose, a page information display method for displaying the electronic information, employing an information access device having a storage unit for storing the electronic information having plural pages of information in a unit of page of predetermined size, a display unit for displaying the electronic information stored in said storage unit in said unit of page, and an operation unit for inputting an operation to gain access to said page information,

Art Unit: 2174

said operation unit being provided in the substantially same area as said display unit,

wherein said display unit has an information access area for displaying the electronic information stored in said storage unit in said unit of page, a succeeding page tag display area for displaying a tag appended to a current page read from said storage unit that is to be displayed at present and the succeeding page tags appended to the pages succeeding said current page, and a preceding page tag display area for displaying the preceding page tags appended to the pages preceding said current page, comprising:

but does not disclose

- a current/succeeding/preceding page tag height calculating step of calculating a display height of the current page tag on the basis of the position of said current page with respect to the total number of pages for the electronic information stored in said storage unit; However, However, Amro et al. teaches steps to change the tag sizes (see the various sizes of the tabs in Figs. 3 and 5A/B). Therefore, it would have been obvious to one having ordinary skill in the art at the time to provide a method, as taught by Amro et al., to change the size of the tabs, in Henckel et al. One would be motivated to modify the tag display when the tags are used in more than one way.

the method further comprising:

- and a page turning process step of displaying the next display page set in said next display page setting step in place of said current page on said

display unit, said page turning process step further comprising a holding object page tag display substep of displaying the tags appended to the current page that is an object of said turning process and the holding object pages held in said holding operation in a display format in accordance with a direction of the page turning process among those designated in said preceding page tag display format designating step or said succeeding page tag display format designating step within said information access area, following the transformation or movement of the current page in said current page turning process. However, Amro et al. teaches steps to show the tag to move with the turned page (see Figs. 3 and 3A). Therefore, it would have been obvious to one having ordinary skill in the art at the time to provide a method, as taught by Amro et al., to turn the tag as the page is turned, in Henckel et al. One would be motivated to provide this feature, as it would visually unacceptable for the tab be not part of the page during the process of turning the page.

Claims 26-27: Henckel et al. and Amro et al. disclose a method for a page information display method for displaying the electronic information, as in Claim 25, above. Furthermore, Henckel et al. disclose following said page holding operation detecting step: a before-turning/after-turning holding object page tag coloring step of coloring a tag for a holding object page that is held by said page holding operation with a different color from other tags in one tag display area



that is displaying a tag appended to the current page, when the page holding operation is initially detected in said page holding operation detecting step (i.e. ... performing such a flipping function at the upper corners of the pages preferably allows chapter headings, or some other larger unit indicator, to be displayed and selected. Location of page numbers, chapter headings, and so forth –change tag color or length- may be changed ... column 4 lines 52-64 and Fig.4).

8. Claims 29-30, 34-37 and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Henckel et al. (US 5,463,725) in view of Huffman et al. (5,663,748).

Claim 29: Henckel et al. disclose, a page information display method for displaying the electronic information, employing an information access device having a storage unit for storing the electronic information having plural pages of information in a unit of page of predetermined size, a display unit for displaying the electronic information stored in said storage unit in said unit of page, and an operation unit for inputting an operation to gain access to said page information, said operation unit being provided in the substantially same area as said display unit, comprising,

but does not disclose an article information enlarging operation detecting step of outputting an article information enlarging operation detecting signal having the positional information as to an article information enlarging operation, when the article information enlarging operation is detected on said operation unit, in the

case where plural articles of information making up a current page are defined in said current page read from said storage unit that is to be displayed at present; and an article information enlarging display step of displaying in enlargement the article information at a position indicated by said positional information on said display unit, in the case where the article information enlarging operation detecting signal is output in said article information enlarging operation detecting step. However, Huffman et al. disclose a text selection and enlargement method (i.e. ... Titles and headings in the book are enlarged and bolded based upon the primary font/size combination ... columns 10/11 lines 62-7). Therefore, it would have been obvious to one having ordinary skill in the art at the time to provide a method, as taught by Huffman et al., to enlarge the text, in Henckel et al. One would be motivated to provide this feature, as it would help to customize the text size as per the user's need.

Claim 30: Henckel et al. and of Huffman et al. disclose, a page information display method for displaying the electronic information, as in Claim 29, above, but do not disclose, a substep of outputting an article information enlarging operation detecting signal including a click position as said positional information, when a click is made on said operation unit. However, Huffman et al. disclose a user text selection method (i.e. ... user selecting a portion of a page of text... column 13 lines 45-56 and Fig. 19). Therefore, it would have been obvious to one having ordinary skill in the art at the time to provide a method, as taught by

Huffman et al., to select a portion of a page, in Henckel et al. One would be motivated to provide this feature, as it will be necessary for the user to select a portion of a page to enlarge.

Claim 34: Henckel et al. disclose, a page information display method for displaying the electronic information, but does not disclose;

- said article information enlarging display step further comprising an enlarging time wire frame display substep of enabling a wire frame, with a start region at an outside periphery of said article information to be enlarged, to be displayed at multiple stages of varying sizes up to an outside periphery of said display unit .

However, Huffman et al. disclose a user selection method, which is same as a wire frame selection (i.e. ... portion 330 is selected by a user-initiated event of sliding his finger 212 ... column 13 lines 45-56 and Fig. 19). Therefore, it would have been obvious to one having ordinary skill in the art at the time to provide a method, as taught by Huffman et al., to provide a method to select a rectangular or wire frame portion of a page, in Henckel et al. One would be motivated to provide this feature, as it is the easiest way to allow the user to dynamically a portion of display.

Claims 35-37: Henckel et al. and of Huffman et al. disclose, a page information display method for displaying the electronic information, as in Claim 34, above, but do not disclose;

- said article information enlarging display step further comprising an reducing time wire frame display substep of enabling a wire frame, with a start region at an outside periphery of said article information to be enlarged, to be displayed at multiple stages of varying sizes up to an outside periphery of said display unit.
- an enlarged tag appending step.
- a substep of embossing an article.

However, Huffman et al. disclose a user selection method, which is same as a wire frame selection (i.e. ... portion 330 is selected by a user-initiated event of sliding his finger 212 ... column 13 lines 45-56 and Fig. 19). Therefore, it would have been obvious to one having ordinary skill in the art at the time to provide a method, as taught by Huffman et al., to provide a method to select a rectangular or wire frame portion of a page, and use this information to either reduce or enlarge the information, and furthermore include other related objects like tags or dog ears as part of the enlargement/reduction process, and furthermore provide some visual clues like embossing or flashing of the object while it is being processed, in Henckel et al. One would be motivated to provide this feature, as it is the easiest way to allow the user to dynamically select and manipulate a portion of display.

Claim 39: Henckel et al. and Huffman et al. disclose, a device for a page information display method for displaying the electronic information, as in Claim 38, above, but do not disclose, wherein said electronic information memory has the article information making up each page of said electronic information, and said event driven display control portion has an article continuous display function of continuously displaying in enlargement the article information overlapped on a path of the locus on the basis of said path of the locus.

However, Huffman et al. disclose a user selection method, in which the user uses his finger or stylus to point a location o the screen and slide across the screen (i.e. ... portion 330 is selected by a user-initiated event of sliding his finger 212 ... column 13 lines 45-56 and Fig. 19). Therefore, it would have been obvious to one having ordinary skill in the art at the time to provide a method, as taught by Huffman et al., to provide a method to use these steps to continuously enlarge the information, in Henckel et al. One would be motivated to provide this feature, as it is the easiest way to allow the user to dynamically select and manipulate a portion of display.

9. Claim 33 is rejected under 35 U.S.C. 103(a) as being unpatentable over Henckel et al. (US 5,463,725) in view of Huffman et al. (5,663,748) and in further view of Kuzunuki et al. (6,266,057 B1).

Claim 30: Henckel et al. and of Huffman et al. disclose, a page information display method for displaying the electronic information, as in Claim 29, above, but do not disclose the step of inhibiting a normal page turning operation while said article information is being displayed in enlargement. However, Kuzunuki et al. disclose a function that inhibits switching to the page handling mode, when a pen input is used (column 13 lines 1-9 and Figs. 14a and 14b). Therefore, it would have been obvious to one having ordinary skill in the art at the time to provide a function, as taught by Kuzunuki et al., to inhibit page turning operation when the page is enlarged, in the modified Henckel et al. One would be motivated to provide this feature, as it will be necessary for the user not to get confused when the page turning operation is accidentally performed, when viewing a specific portion of a document in a enhanced font.

10. Claims 42-45 are rejected under 35 U.S.C. 102(e) as being unpatentable over Henckel et al. (US 5,463,725) in view of Lovett et al. (US 7,134,072 B1).

Claim 42: Henckel et al. disclose, a device for a page information display method for displaying the electronic information, but does not disclose:

- reception means for receiving the ML data described in a mark-up language via a communication line from a server; ML data conversion means for converting the ML data received by said reception means into the image data in a unit of page of predetermined size;

However, Lovett et al. discloses a method for receiving information from a server (Fig. 3), and converting a mark-up language (XML) data (see Fig. 7) using a document schema. Therefore, it would have been obvious to one having ordinary skill in the art at the time to provide a method, as taught by Lovett et al., to convert mark-up language data into a page format of a book, in Henckel et al. One would be motivated to provide this feature, as more and more information is being stored in a generic mark-up language, and to make this information available to users, it will be necessary to convert the mark-up language information to a familiar book format.

Claim 43: Henckel et al. and Lovett et al. disclose, a device for a page information display method for displaying the electronic information, as in Claim 42, above, but does not disclose, wherein said ML data conversion means comprises a tree structure converting portion for designating a single tree structure from the link structure of said ML data as well as converting said tree into a one-dimensional book structure by searching said tree in a predetermined search order. However, Lovett et al. disclose a user text selection method (i.e. ... he parser 54 calls one or more node factories 58 to construct the in-memory tree representation of the XML document... column 5 lines 35-49 and Fig. 4). Therefore, it would have been obvious to one having ordinary skill in the art at the time to provide a method, as taught by Lovett et al., to create a searchable tree structure from a linked list mark-up language information, in Henckel et al.

One would be motivated to provide this feature, as it will be very efficient to search a tree structure than a typical word search.

Claim 44: Henckel et al. and Lovett et al. disclose, a device for a page information display method for displaying the electronic information, as in Claim 43, above, but does not disclose, wherein said tree structure converting portion searches the link structure of said ML data giving priority to the depth (i.e. ... node factory may also be used to search the XML document ... column 3 lines 42-49 and Fig. 2). Therefore, it would have been obvious to one having ordinary skill in the art at the time to provide a method, as taught by Lovett et al., to search the link structure, in Henckel et al. One would be motivated to provide this feature, as it will be very efficient and quick to search by the user, if a priority to depth is used to create a tree structure.

Claim 45: Henckel et al. and Lovett et al. disclose a device for a page information display method for displaying the electronic information, as in Claim 42, above. Furthermore, Henckel et al. wherein said display controller comprises a tag appending portion for appending a tag indicating a page number of said page information to both end portions of said touch panel, said tag appending portion having a converted page tag display function of displaying the tag for the page having the page number appended by said page number appending portion on



said touch panel (i.e. ... Bookmarks 32 may be graphically placed onto a displayed page... column 3/4 lines 65-5 and Fig.3).

### ***Response to Arguments***

11. Applicant's arguments filed on February 26th, 2008 have been fully considered but they were found not persuasive.

- A. Applicant argues, "With respect to claim 24, Applicant would point out that claim 24 recites '...in the other tag display area where a tag ..., is not displayed', which is clear and not indefinite". The Examiner respectfully disagrees but maintains the rejection. The Examiner couldn't understand, why the "step of coloring the page tag" is done when the page turning process is NOT displayed.
- B. Applicant argues, "With respect to claim 49, Applicant notes that claim 49 has been amended to address the Examiner's concerns. Therefore, these claims are clear and not indefinite, and the Examiner is respectfully requested to withdraw this rejection. Further, Applicant notes that claim 49-51 are not subject to a prior art rejection and, therefore, claims 49-51 are in condition for immediate allowance". As the Examiner couldn't find any "amended" language in claim 49,

the rejection is maintained. Note the amended claims document indicated that the claim 49 as "previously presented" and not "currently amended"

C. Applicant argues, "nowhere does Henckel teach or suggest a page turning operation detecting step which includes an operation, rate calculating substep of calculating a page turning rate that is a speed of the page mining operation, and the page turning process step includes a display, rate setting substep of setting a display rate corresponding to the page turning rate calculated in the operation rate calculating step to change the display from the current page to the next display page, as recited, for example, in claims 1,4 and 5 (Application at paragraph [0096])". The Examiner respectfully disagrees but maintains the rejection. Henckel et al. teach, if the animation capability of the display is unable to keep up with the page turning speed of the user, the display can simply pause until the user finishes swiping (column 3 lines50-64). It is inherent that some sort of calculating a page turning rate that is a speed of page turning operation, must be done by Henckel et al., in order to determine that the animation is not capable of keeping up with the page turning speed.

D. Applicant argues, "nowhere does Henckel teach or suggest a holding page number displaying step of displaying the total number of holding pages in accordance with the amount of the Rage holding operation on the display unit when the page holding operation is initially detected in the page holding

operation detecting step (e.g., as recited in claim 6)... (e.g., as recited in claim 23), ... (e.g., as recited in claim 25), ... (e.g., as recited in claim 28), ... (e.g., as recited in claim 29), ... (e.g., as recited in claim 38), ... (e.g., as recited in claim 40), ... (e.g., as recited in claim 42), ... (e.g., as recited in claim 46), ... (e.g., as recited in claim 49). Clearly, these features are not taught or suggested by Henckel". The Examiner respectfully disagrees and directs the applicant to review the claim rejections. Furthermore, the applicant's arguments fail to comply with 37 CFR 1.111(b) because they amount to a general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the references.

- E. Applicant argues, "The Examiner alleges that Henckel would have been combined with Amro to form the invention of claims 7-11, 25-27 and 48, with Huffman to form the invention of claims 29-30, 34-37 and 39, with Huffman and Kuzunuki to form the invention of claim 33, and with Lovett to form the invention of claims 42-25. However, these alleged references would not have been combined as alleged by the Examiner and even if combined, the alleged combination would not teach or suggest each and every feature of the claimed invention. Indeed, these alleged references are completely unrelated and no person of ordinary skill in the art would have considered combining these disparate references, absent impermissible hindsight". The Examiner respectfully disagrees but maintains the rejection. In response to applicant's

argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, Amro teaches, a user interactive touch screen is provided with an on-screen mouse to which user input may be applied by rolling of the touch finger to thereby move displayed information: the pointer or scrolled information on the screen (Abstract), Huffman teach, an electronic book (Abstract) and Kuzunuki teach, an electronic computer which can be controlled by the operator by moving the physical objects and the operator hands to simulate paper processing tasks (abstract). Since all these references are generally well within the scope of applicant's claimed novelty and as they further teach various methods to improve electronic book reading process, the applicant's claim that these references are completely unrelated needs a much more substantial repudiation. Furthermore, it would have been obvious to one having ordinary skill in the art at the time to easily find these references and find ways combine the salient features found in these references and present as potential novelty claims.

- F. Applicant argues, "The Examiner respectfully disagrees but maintains the rejection. In response to applicant's The Examiner attempts to rely on col. 13, lines 45-56 in Huffman to support his position. However, this is completely unreasonable. In fact, col. 13, lines 45-56 in Huffman simply teaches a portion 330 of text selected by a user-initiated event of sliding his finger 212, and upon the selection the portion. 330 of the text is highlighted". The Examiner respectfully disagrees but maintains the rejection. As the applicant doesn't clearly mention which claim is being addressed, the examiner will assume it to be claim 30. The novel feature that has been rejected under this claim is "click" operation. The Examiner equates the "click" operation to be analogous to user "select" operation.
- G. Applicant argues, "The Examiner attempts to rely on col. 13, lines 1-9 and Figures 14a and 14b Kuzunuki to support his position. However, this is completely unreasonable. In fact, column 13, lines 1-9 in Kuzunuki simply teaches switching a mode to a page handling mode, but when a pen is held, inhibiting switching to a page handling mode and permitting switching to a document/editing processing mode". The Examiner respectfully disagrees but maintains the rejection. The novel feature that has been rejected under the claim 33 is "inhibiting" operation. Kuzunuki clearly teaches, "inhibiting switching to a page handling mode" as recited above by the applicant.

- H. Applicant argues, "The Examiner attempts to rely on Figures 3, 4 and 7 and col. 5, lines 35-49 in Lovett to support his position. However, this is completely unreasonable. In fact Lovett simply teaches an architecture for processing an XML document. In particular, Lovett teaches a system 40 in which XML documents are exchanged between a client 42 and server 44. The system 40 includes a parser 54 which parses the XML data stream (Lovett at col. 5, lines 8-48)". The Examiner respectfully disagrees but maintains the rejection. The novel feature that has been rejected under the claim 42 is "receiving from a server an ML data and converting the data user friendly format" operation. XML is a well known mark-up language that is widely used in the industry. Lovett clearly teaches, "receiving and converting/parsing ML data" as recited above by the applicant.
- I. Applicant submits "that claims 1-2, 4-13 and 23-53, all the claims presently pending in the application, are patentably distinct over the prior art of record and are in condition for allowance". The Examiner respectfully disagrees but maintains the rejection for claims 1-2, 4-13 and 23-51. However, the Examiner couldn't find the claims 52-53 in the claim amendments.

### **Conclusion**

12. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anil N. Kumar whose telephone number is (571) 270-1693. The examiner can normally be reached on Wednesdays and alternate Mon-Tue and Thu-Fri EST (Alternate Mon-Tue and Thu-Fri off).

Art Unit: 2174

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor David Wiley can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

ANK

5/7/2008

/David A Wiley/

Supervisory Patent Examiner, Art Unit 2174